

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

AMERICAN ALLIANCE FOR EQUAL RIGHTS,
Plaintiff,

v.

McDONALD'S CORPORATION;
McDONALD'S USA, LLC; and
INTERNATIONAL SCHOLARSHIP & TUITION
SERVICES, INC.,
Defendants.

No. 3:25-cv-50

**EMERGENCY MOTION FOR A TEMPORARY RESTRAINING
ORDER AND A PRELIMINARY INJUNCTION
(RELIEF REQUESTED BY JANUARY 31, 2025)**

Plaintiff moves for a TRO and preliminary injunction, enjoining Defendants from “closing the application window or picking a winner” for the HACER program “until further order of this Court.” *AAER v. Fearless Fund*, 2023 WL 6520763, at *1 (11th Cir. Sept. 30). HACER likely violates 42 U.S.C. §1981 because it’s a contractual contest that bars non-Hispanics based on ethnicity. And without temporary relief, Defendants would close the application window in February 2025 and pick winners in June 2025—well before this case could be litigated to final judgment. That result would irreparably harm current high-school seniors, like the Alliance’s Member A, who are able and ready to apply to HACER but can’t because they aren’t Hispanic.

As explained in the accompanying memorandum, the Alliance satisfies each requirement for temporary relief. Because time is of the essence and the loser will likely

need some time to seek emergency relief from the Sixth Circuit, the Alliance respectfully asks this Court to rule by **January 31, 2025**.

The Alliance also asks this Court to waive the security requirement of Rule 65(c).

Dated: January 12, 2025

Adam K. Mortara
(TN Bar No. 40089)
LAWFAIR LLC
40 Burton Hills Blvd., Ste. 200
Nashville, TN 37215
(773) 750-7154
mortara@lawfairllc.com

Respectfully submitted,

/s/ Cameron T. Norris
Thomas R. McCarthy*
(VA Bar No. 47154)
Cameron T. Norris
(TN Bar No. 33467)
R. Gabriel Anderson*
(TX Bar No. 24129302)
CONSOVOY MCCARTHY PLLC
1600 Wilson Blvd., Ste. 700
Arlington, VA 22209
(703) 243-9423
tom@consovoymccarthy.com
cam@consovoymccarthy.com
gabe@consovoymccarthy.com

*pro hac vice forthcoming

Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that, on January 13, 2025, Plaintiffs' counsel will deliver via process server a copy of the foregoing motion, memorandum in support, and supporting exhibits (including the verified complaint) to Defendants at the following addresses:

- Prentice Hall Corporation (Registered Agent for McDonald's Corporation), 801 Adlai Stevenson Dr., Springfield, IL 62703-4261
- Illinois Corporation Service Company (Registered Agent for McDonald's USA, LLC), 801 Adlai Stevenson Dr., Springfield, IL 62703-4261
- Rebecca Sharpe, Registered Agent for ISTS, 40 Burton Hills Blvd., Ste. 170, Nashville, TN 37215

On January 12, 2025, Plaintiffs' counsel also sent these documents to Defendants by emailing the following:

- Desiree Ralls-Morrison, General Counsel of McDonald's, desiree.ralls-morrison@us.mcd.com
- Angela Steele, U.S. General Counsel of McDonald's, angela.steele@us.mcd.com
- Becky Sharpe, CEO of ISTS, bsharpe@applyists.com
- ISTS, technology@applyists.com & contactus@applyists.com

Dated: January 12, 2025

/s/ Cameron T. Norris
Counsel for Plaintiff